Executive Summary – Enforcement Matter – Case No. 45511 ABDUN INC dba Texaco Food Mart RN106037674 Docket No. 2012-2371-PST-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PST

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Texaco Food Mart, 14925 Old Humble Road, Humble, Harris County

Type of Operation:

Convenience store with retail sales of gasoline

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 17, 2013

Comments Received: No

Penalty Information

Total Penalty Assessed: \$7,875

Amount Deferred for Expedited Settlement: \$1,575 Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$175 Total Due to General Revenue: \$6,125

Payment Plan: 35 payments of \$175 each

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - High Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2011

Executive Summary – Enforcement Matter – Case No. 45511 ABDUN INC dba Texaco Food Mart RN106037674 Docket No. 2012-2371-PST-E

Investigation Information

Complaint Date(s): N/A Complaint Information: N/A

Date(s) of Investigation: April 4, 2012 and October 30, 2012

Date(s) of NOE(s): October 30, 2012

Violation Information

- 1. Failed to provide corrosion protection for the underground storage tank ("UST") system [30 Tex. Admin. Code § 334.49(a)(1) and Tex. Water Code § 26.3475(d)].
- 2. Failed to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring) [30 Tex. ADMIN. CODE § 334.50(b)(1)(A) and Tex. Water Code § 26.3475(c)(1)].
- 3. Failed to maintain UST records and make them immediately available for inspection upon request by agency personnel [30 Tex. ADMIN. CODE § 334.10(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require Respondent to:

- a. Immediately, begin maintaining all UST records and ensure that they are made immediately available for inspection upon request by agency personnel.
- b. Within 30 days:
- i. Install a corrosion protection system and test the system; and
- ii. Implement a release detection method for the UST system at the Facility.
- c. Within 45 days, submit written certification demonstrating compliance with Ordering Provisions a, and b.

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Executive Summary – Enforcement Matter – Case No. 45511 ABDUN INC dba Texaco Food Mart RN106037674 Docket No. 2012-2371-PST-E

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Joel McAlister, Enforcement Division,

Enforcement Team 6, MC 128, (512) 239-2619; Debra Barber, Enforcement Division,

MC 219, (512) 239-0412

TCEQ SEP Coordinator: N/A

Respondent: Nael Masalma, President, ABDUN INC, 14925 Old Humble Road,

Houston, Texas 77396

Respondent's Attorney: N/A

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 5-Nov-2012 Assigned PCW 16-Nov-2012 Screening 12-Nov-2012 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent ABDUN INC dba Texaco Food Mart Reg. Ent. Ref. No. RN106037674 Facility/Site Region 12-Houston Major/Minor Source Minor **CASE INFORMATION** Enf./Case ID No. 45511 No. of Violations 3 Docket No. 2012-2371-PST-E Order Type 1660 Media Program(s) Petroleum Storage Tank Government/Non-Profit No Enf. Coordinator Joel McAlister Multi-Media EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum Maximum \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$8,750 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** -10.0% Enhancement Subtotals 2, 3, & 7 -\$875 Reduction for high performer classification. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 **Economic Benefit** 0.0% Enhancement* Subtotal 6 \$0 Total EB Amounts \$649 *Capped at the Total EB \$ Amount Approx. Cost of Compliance \$8,000 SUM OF SUBTOTALS 1-7 Final Subtotal \$7,875 OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment Reduces or enhances the Final Subtotal by the indicated percentage.

Final Penalty Amount

Final Assessed Penalty

Reduction Adjustment

20.0%

\$7,875

\$7,875

-\$1,575

\$6,300

Notes

Notes

PAYABLE PENALTY

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Deferral offered for expedited settlement.

Screening Date 12-Nov-2012

Docket No. 2012-2371-PST-E

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Respondent ABDUN INC dba Texaco Food Mart

Case ID No. 45511

Reg. Ent. Reference No. RN106037674

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Joel McAlister

Compliance History Worksheet

omponent	Number of Written notices of violation ("NOVs") with same or similar violations as those in		00/
NOVs	the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Andres	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		ase Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Per	centage (Sub	total 2
eat Violator (
No	Adjustment Per	rcentage (Sub	total 3
pliance Histo	pry Person Classification (Subtotal 7)		
High Perf	former Adjustment Per	rcentage (Sub	total 7
pliance Histo	ory Summary		
Compliance History Notes	Reduction for high performer classification.		
	Total Compliance History Adjustment Percentage (Subtotals 2,	3, & 7
	History Adjustment	PARTITION AND AND ADDRESS OF A	

Screening Da	te 12-Nov-2012	PCW Policy Revision 3 (September 2011)
Case ID N	0. 45511	PCW Revision August 3, 2011
Reg. Ent. Reference N Media [Statut	o. RN106037674 a] Petroleum Storage Tank	
Enf. Coordinat Violation Numb	or Joel McAlister	
Rule Cite	6)	
Rule Cite	30 Tex. Admin. Code § 334.49(a)(1) and Tex. Water Code § 26.34	75(d)
Violation Descripti	Failed to provide corrosion protection for the underground storage tank	< ("UST")
•	system.	
	Bas	se Penalty \$25,000
>> Environmental, Prop	erty and Human Health Matrix Harm	
Relea	se Major Moderate Minor	
OR Acti		
>>Programmatic Matrix		
Falsificatio	n Major Moderate Minor	1
	Percent 0.0%	
	th or the environment will or could be exposed to pollutants which would ex	
Notes that are	protective of human health or environmental receptors as a result of the vic	olation.
	Adjustment	\$21,250
		\$3,750
Violation Events		
	of Violation Events 1 12 Number of violation	days
	daily	,-
	weekly	
mark only on	monthly X Violation Bas	se Penalty \$3,750
with an x	semiannual	•
	single event	
		- 0
One montr	ly event is recommended based on documentation of the violation during th 30, 2012 record review to the November 12, 2012 screening date.	e October
Good Faith Efforts to Co	mply 0.0% Reduction	\$0
COOL FURTH ENVISES TO CO	Before NOV NOV to EDPRP/Settlement Offer	
	Ordinary Ordinary	
	N/A x (mark with x)	1
	Notes The Respondent does not meet the good faith criteria for this violation.	
		Subtotal \$3,750
Economic Benefit (EB) fo		
Estim	ated EB Amount \$526 Violation Final Pen	
	This violation Final Assessed Penalty (adjusted f	for limits) \$3,375

	Ε	conomic	Benefit	Wo	rksheet		
Respondent	grigorianse en en selvente i kladassik	ba Texaco Food Ma	nidible, adminestrantoni ettori	ovanilia.Tue	establication in the Real State of the 1999	7. F. B	Hite Architectures processor con
Case ID No.	45511						
Reg. Ent. Reference No.	RN106037674	1					
	Petroleum Sto						Years of
Violation No.		rage rank				Percent Interest	Depreciation
Violation No.				Samuetiii 1996			
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$					5.74 (A. 1985) 1. 10 (A. 198	
		CONTRACTOR OF THE STATE OF THE	State Sta			C. I. S. Deventage P. C.	Courte Bad Trade do on Pro 17" a Arbeitean de com of marin
Delayed Costs					Properties		
Equipment	\$6,000	4-Apr-2012	5-Jul-2013	1.25	\$25	\$501	\$526
Buildings	30,000	7 7 7 2012	3 30. 2013	0.00	\$0	\$0	\$0
Other (as needed)	The second second		ud ing in a sectoral a	0.00	\$0	\$0	\$0
Engineering/construction	18,70,000,000		The Control of the Control	0.00	\$0	\$0	\$0
Land	THE LONG THE	and the second of the second	, na najmur i	0.00	\$0	n/a	\$0
Record Keeping System	The state of	January Salah Januari Salah	Taransi e iseni se	0.00	\$0	n/a sa	\$0
Training/Sampling	ang in the second			0.00	\$0	n/a	\$0
Remediation/Disposal	Taggire of MacGAGage			0.00	\$0	n/a es	\$0
Permit Costs			لقبيدة دوا الافرادة	0.00	\$0	s/a	\$0
Other (as needed)	1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944	programme in the state of the s		0.00	\$0		\$0
Notes for DELAYED costs Avoided Costs		investigation da	ate, and the fin	al date	is the estimated d	ystem. The date rec ate of compliance. for one-time avoic	
Disposal		. 10.5 - 11.55.7 - 12.5	Addivision and a street	0.00	\$0	\$0	\$0
Personnei	THE SHIP REPORTS	* <u></u>	18.8.1.1.48.18.18.19	0.00	\$0	\$0	\$0
spection/Reporting/Sampling		12570 2000	Martin Strasiopo d	0.00	\$0	\$0	\$0
Supplies/equipment		Professional Company of the	destruction of	0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]) jigʻa cygorismenyon	Contract CHARLES FOR	and Year () pay and particle	0.00	\$0	\$ 0	\$0
Other (as needed)	erioria espeja ere a	, iliya ya iliya ka yawa intag	Programma.	0.00	\$0	\$0 j	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance	ſ	\$6,000			TOTAL		\$526

Screening Date	12-Nov-2012 Docket No. 2012-2371-PST-E	PCW
Respondent Case ID No.		vision 3 (September 2011)
Reg. Ent. Reference No.	7.0	N Revision August 3, 2011
	Petroleum Storage Tank	
Enf. Coordinator Violation Number	JOEI MCAlister 2	
Rule Cite(s)	30 Tex. Admin. Code § 334.50(b)(1)(A) and Tex. Water Code § 26.3475(c)(1)	
		=
Violation Description	Failed to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring).	
	Base Penalt	y \$25,000
>> Environmental, Proper	y and Human Health Matrix	
Release	Harm Major Moderate Minor	
OR Actual		
Potential	X Percent 15.0%	
>>Programmatic Matrix Falsification	Major Medasto Minor	·
1 disilication	Major Moderate Minor Percent 0.0%	i
		T
	or the environment will or could be exposed to pollutants which would exceed levels exective of human health or environmental receptors as a result of the violation.	5
Notes triacare pr	rective of numerical receptors as a result of the violation.	
	Adjustment \$21,25	ם
		\$3,750
Violation Events		
Number of V	olation Events 1 12 Number of violation days	
	daily weekly monthly x	
mark only one with an x	quarterly Violation Base Penalt	\$3,750
	semiahnyai annuai	
	single event	
One monuny a	event is recommended based on documentation of the violation during the October 30, 2012 record review to the November 12, 2012 screening date.	
<u> </u>		
Good Faith Efforts to Comp	y 0.0% Reduction Before NOV NOV to EDPRP/Settlement Offer	\$0
E	xtraordinary	
	Ordinary N/A X (mark with x)	
	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
	Violation Cultura	#2.750
	Violation Subtota	\$3,750
Economic Benefit (EB) for t	his violation Statutory Limit Test	70.5
Estimated	I EB Amount \$94 Violation Final Penalty Tota	\$3,375
	This violation Final Assessed Penalty (adjusted for limits)	\$3,375

Titem Cost Date Required Final Date Yrs Interest Saved Solution		E	conomic E	3enefit	Wo	rksheet		
Case TD No. 45511 Reg. Ent. Reference No. RN106037674 Media Petroleum Storage Tank Violation No. 2 Titem Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Ar Item Description No commas or \$ Delayed Costs Equipment	Respondent	ABDUN INC db	oa Texaco Food Ma	rt	- W.S. 11 (100 (100 (100 (100 (100 (100 (100	and Committee Co		
Reg. Ent. Reference No. Media Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Petroleum Storage Tank Pe								
Media								
Titem Cost Date Required Final Date	Reg. Ent. Reference No	Dotroloum Sto	rage Tank					Years of
Titem Cost Date Required Final Date			lage lank				Percent Interest	Depreciation
Titem Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Ar	Violation No			CHEROTO GERRAS VICTORIO				
Delayed Costs Equipment							£	
Delayed Costs Equipment		Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Rever Reversion Remediation Record Keeping System	Item Description	1 No commas or \$						
Comparison Com	Harris L'Administration de la company de	AND THE RESIDENCE OF THE PROPERTY OF THE PROPE						H-1-700-100-100-100-100-100-100-100-100-1
Equipment Buildings	Delayed Costs							
Buildings	The state of the s	F44 00 FEMALO 15		to a second of the second	0.00			\$0
Engineering/construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs AVOIded Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs		10 10 0.09 NOW 2016 A 1987						\$0
	Other (as needed)							\$0
Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Disposal Personnel Personnel Costs Other (as needed) Notes for AVOIDED costs Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs on the cost of the cos								\$0
Record Keeping ystem Training/Sampling Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs Other (as needed) Notes for AVOIDED costs			and the second					\$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs Other (as needed) Notes for AVOIDED costs	Record Keeping System	Sept of the section						\$0
Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs Remediation/Disposal	Training/Sampling	aprilional processes		grand and a National and				\$0
Other (as needed) Notes for DELAYED costs Notes for DELAYED costs AVOIDED Costs Other (as needed) S1.500	Remediation/Disposal	La Latter de Albert (1975)	14-4-1-41 10-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	t i ja i setyje sulati				\$0
Notes for DELAYED costs Notes for DELAYED costs AVOIDED Costs ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs personnel [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.50] [1.5	Permit Costs	. or family in the contin	programme through					\$0
AVOIDED costs Avoided Costs	Other (as needed)	\$1,500	4-Apr-2012	5-Jul-2013	1.25	\$94	n/a	\$94
Disposal Personnel	and the second of the second o			date is the es	imated	date of complian	ce.	
Disposal		S ANNUAL	IZE [I] avoided	COSES DEIOLE	0.00	tig item (except	¢η	\$0
Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$		12,24 (2,24) 14 71.7		 A position of the property of the				\$0
Inspection/Reporting/Sampling		California an ani si Nasi Ros		The state of the s				\$0
Supplies / equipment Financial Assurance [2]								\$0
Pinancial Assurance [21] ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs				mundick or any more				\$0
ONE-TIME avoided costs [3] Other (as needed) Notes for AVOIDED costs				J. W., Te Je a standard				\$0
Notes for AVOIDED costs				Tar neath on the				\$0
	Other (as needed)			salara da periodo do ser en	10.10	eranie et al de Melake	GRANDSON SELECTION	
	Notes for AVOIDED costs							
Approx. Cost of Compliance \$1,500			the state of the state of the					

,

Scre	ening Date	12-Nov-2012		Docket No.	2012-2371-PST-E		PCW
		ABDUN INC dba Tex	free and the second section of the		_,	Policy Revision	3 (September 2011)
	ase ID No.					PCW Rev	rision August 3, 2011
Reg. Ent. Ref							
		Petroleum Storage 1	ank		•		
	Coordinator	Joel McAlister					
VIOI	Rule Cite(s)	<u> </u>		C C C C C C C C C C			`
	,		30 Tex. Admir	n. Code § 334.1	LU(b)		
Violatio	n Description	Failed to maintain L		ike them immed by agency perso	diately available for onnel.	inspection	
	·				Bas	e Penalty	\$25,000
>> Environmeı	ntal, Proper	ty and Human I	lealth Matrix				
	Release	†	larm derate Minor				
OR	Actual	Major Mo	derate Millor	7			
-	Potential				Percent 0.0%		
	ti - Mantuisa						
>>Programma	Falsification	Major Mo	derate Minor				
		x			Percent 5.0%		
						. 1	
Matrix Notes		100%	of the rule requirem	nent was not m	et. •		
	L						
				Adj	ustment	\$23,750	
							\$1,250
Violation Event	is .						
	Number of V	/iolation Events	1	12	Number of violation	days	
	mark only one with an x	daily weekly monthly quarterly semiannual annual single event	X		Violation Bas	e Penalty	\$1,250
		Or	ne single event is re	ecommended.			
Good Faith Effo	orts to Comi	olv	0.0% Reduction	l			\$0
		Bef		RP/Settlement Offe	<u> </u>		
		Extraordinary					
		Ordinary	:				
		N/AI	X (mark with	x)			
		Notes		not meet the go his violation.	ood faith criteria for		
		<u> </u>			Violation	Subtotal	\$1,250
Economic Bene	fit (EB) for	this violation			Statutory Limi	t Test	
entermonente (videologica debelogica provincia debelogica provincia debelogica debelogica debelogica debelogica		ed EB Amount	\$	29] \	/iolation Final Pen	alty Total	\$1,125
		<u></u>			enalty (adjusted (_	\$1,125
			inis tiviación Fil	.u. Assessed F	chairy (adjusted)		¥1,123

		conomic	Benefit	Wo	rksheet		
Respondent	#1000 B-+4/0/00/00/00/10/	oa Texaco Food Ma		eng spepiline	superpendent or a Toron	edinistre fall i 177 at 156 mañ Hillion Benno	
Case ID No.	45511						
eg. Ent. Reference No.	RN106037674						
Media	Petroleum Sto	rage Tank				Percent Interest	Years of
Violation No.	3					r er cent interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$						
EPTERS IN STREET, THE SECRETARY IN SECTION OF SECULO		Telefold telefold and analysis of the control entrol of the control entrol entr	es.cs.soutef.cdffuldicefavelfoodfood	o'dichinad PREW	Printer to the control of the contro	III Mala II S	
Delayed Costs			Meg were sit killin				
Equipment		a transfer of the same	er i jewynaranie	0.00	\$0	\$0	\$0
Buildings	10 1 m (13		a jako a seletika	0.00	\$0	\$0	\$0
Other (as needed)	E, Maria Diegonia			0.00	\$0	\$0	\$0
Engineering/construction	Turning the legit begin	etypes o despessor	i severalite ji Nationa Net	0.00	\$0	\$0	\$0
Land	a se trate a serie adapt			0.00	\$0	n/a	\$0
Record Keeping System	\$500	4-Apr-2012	5-Jun-2013	1.17	\$29	n/a	\$29
Training/Sampling			Control of the Control	0.00	\$0 \$0	- n/a	\$0 \$0
Remediation/Disposal	The state of the same	It is a subject to the subject to		0.00		n/a	
_							
Permit Costs Other (as needed)				0.00	\$0 \$0	¥n/a ↓ n/a	\$0 \$0
	Estimated co	st to maintain US	5 3 PM 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.00 0.00	\$0 \$0	© π/a	\$0 \$0
Other (as needed)			the estima	0.00 0.00 date red ted dat	\$0 \$0 quired is the inves e of compliance.	n/a n/a	\$0 \$0 ne final date is
Other (as needed) Notes for DELAYED costs			the estima	0.00 0.00 date red ted dat	\$0 \$0 quired is the inves e of compliance.	iya n/a tigation date, and th	\$0 \$0 ne final date is led costs)
Other (as needed) Notes for DELAYED costs Avoided Costs			the estima	0.00 0.00 date red ted dat enterir 0.00 0.00	\$0 \$0 quired is the investe of compliance. ag item (except \$0 \$0	tigation date, and the for one-time avoid \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel			the estima	0.00 0.00 date red ted dat enterir 0.00 0.00	\$0 \$0 quired is the investe of compliance. In item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment			the estima	0.00 0.00 date red ted dat enterir 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. 19 item (except \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 he final date is led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			the estima	0.00 0.00 date red ted dat enterir 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. ***ng item (except *** \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment			the estima	0.00 0.00 date red ted dat enterir 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. ***ng item (except *** \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is sed costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel pection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is sed costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			the estima	0.00 0.00 date rected dat enterir 0.00 0.00 0.00 0.00 0.00	\$0 \$0 quired is the investe of compliance. **ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 ne final date is led costs) \$0 \$0 \$0 \$0

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

PUBLISHED Compliance History Report for CN603778663, RN106037674, Rating Year 2012 which includes Compliance History (CH) components from September 1, 2007, through August 31, 2012.

Owner/Operator:	or CN603778663, ABDUN	N INC	Classification: н	IGH	Rating	0.00
Regulated Entity:	RN106037674, TEXAC	O FOOD MART	Classification: н	IIGH	Rating	0.00
Complexity Points:	3		Repeat Violator:	NO	<u>,,, , , , , , , , , , , , , , , , , , </u>	
CH Group:	14 - Other					
ocation:	14925 OLD HUMBLE R	OAD HUMBLE, TEXAS	77396-4592, HARRIS	COUNTY		
CEQ Region:	REGION 12 - HOUSTO	N				
ID Number(s): PETROLEUM STORAGE TAN 83993	NK REGISTRATION REGI	STRATION				
				2012	Rating Date:	09/01/2012
Compliance History Per	iod: September 01, 20	007 to August 31, 2012	Rating Year:	2012	Rating Date:	,,
,		007 to August 31, 2012 November 16, 201		2012	Rating Date: -	
Date Compliance Histor	y Report Prepared:	November 16, 201	2	2012	Rating Date: -	
Date Compliance Histor Agency Decision Requir	y Report Prepared:	November 16, 201	2	2012	Rating Date:	
Compliance History Per Date Compliance Histor Agency Decision Requir Component Period Sele CCEQ Staff Member to C	y Report Prepared: ring Compliance Histo cted: November 16,	November 16, 201 Dry: Enforcement 2007 to November 16,	2012			
Date Compliance Histor Agency Decision Requir Component Period Sele	y Report Prepared: ring Compliance Histo cted: November 16, Contact for Additional	November 16, 201 Dry: Enforcement 2007 to November 16,	2012	ance Histo	ory.	
Date Compliance Histor Agency Decision Requir Component Period Selection CEQ Staff Member to C Name: Joel McAlister	y Report Prepared: ing Compliance Histo cted: November 16, Contact for Additional	November 16, 201 Dry: Enforcement 2007 to November 16,	2 2012 arding This Compli	ance Histo	ory.	
Date Compliance Histor Agency Decision Requir Component Period Selection CEQ Staff Member to C Name: Joel McAlister Site and Owner/Oper	y Report Prepared: ring Compliance Histor cted: November 16, contact for Additional	November 16, 201 Dry: Enforcemen 2007 to November 16, I Information Rega	2012 arding This Compli Phone:	ance Histo	Dry. 19	
Date Compliance Histor Agency Decision Requir Component Period Select CEQ Staff Member to C Name: Joel McAlister Site and Owner/Oper () Has the site been in exister () Has there been a (known)	y Report Prepared: ing Compliance Historcted: November 16, Contact for Additional rator History: nce and/or operation for the	November 16, 201 Dry: Enforcemen 2007 to November 16, I Information Rega the full five year complicator of the site during	2 2012 arding This Compliance period?	ance Histo	Dry. 19	
Date Compliance Histor Agency Decision Requir Component Period Select CEQ Staff Member to C Name: Joel McAlister Site and Owner/Oper) Has the site been in exister	rator History: nce and/or operation for the change in ownership/operaturent owner/operator?	November 16, 201 Dry: Enforcemen 2007 to November 16, I Information Rega	2 2012 arding This Compliance period?	ance Histo	Dry. 19	

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 August 29, 2011 (950142)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):
 N/A
 H. Voluntary on-site compliance assessment dates:
 N/A
 I. Participation in a voluntary pollution reduction program:
 N/A
 J. Early compliance:
 N/A

Sites Outside of Texas:

N/A

Texas Commission on Environmental Quality



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
ABDUN INC DBA TEXACO FOOD	§	TEAAS COMMISSION ON
MART	§	
RN106037674	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2012-2371-PST-E

I. JURISDICTION AND STIPULATIONS

__, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ABDUN INC dba Texaco Food Mart ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEO, through the Enforcement Division, and the Respondent together stipulate that:

- The Respondent operates a convenience store with retail sales of gasoline at 14925 Old 1. Humble Road in Humble, Harris County, Texas (the "Facility").
- The Respondent's one underground storage tank ("UST") is not exempt or excluded from 2. regulation under the Texas Water Code or the rules of the Commission.
- The Executive Director and the Respondent agree that the Commission has jurisdiction 3. to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- The Respondent received notice of the violations alleged in Section II ("Allegations") on 4. or about November 4, 2012.
- The occurrence of any violation is in dispute and the entry of this Agreed Order shall not 5. constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- An administrative penalty in the amount of Seven Thousand Eight Hundred Seventy-Five 6. Dollars (\$7,875) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid One Hundred Seventy-Five Dollars

(\$175) of the administrative penalty and One Thousand Five Hundred Seventy-Five Dollars (\$1,575) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Six Thousand One Hundred Twenty-Five Dollars (\$6,125) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Seventy-five Dollars (\$175) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 Tex. ADMIN. CODE § 70.10(a).
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As operator of the Facility, the Respondent is alleged to have:

1. Failed to provide corrosion protection for the UST system, in violation of 30 Tex. ADMIN. CODE § 334.49(a)(1) and Tex. WATER CODE § 26.3475(d), as documented during an investigation conducted on April 4, 2012 and a record review conducted on October 30, 2012.

- 2. Failed to monitor the UST for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring), in violation of 30 Tex. ADMIN. CODE § 334.50(b)(1)(A) and Tex. WATER CODE § 26.3475(c)(1), as documented during an investigation conducted on April 4, 2012 and a record review conducted on October 30, 2012.
- 3. Failed to maintain UST records and make them immediately available for inspection upon request by agency personnel, in violation of 30 Tex. ADMIN. CODE § 334.10(b), as documented during an investigation conducted on April 4, 2012 and a record review conducted on October 30, 2012.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ABDUN INC dba Texaco Food Mart, Docket No. 2012-2371-PST-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, begin maintaining all UST records and ensure that they are made immediately available for inspection upon request by agency personnel, in accordance with 30 Tex. ADMIN. CODE § 334.10.
 - b. Within 30 days after the effective date of this Agreed Order:
 - i. Install a corrosion protection system and test the system, in accordance with 30 Tex. ADMIN. CODE § 334.49; and
 - ii. Implement a release detection method for the UST system at the Facility, in accordance with 30 TEX. ADMIN. CODE § 334.50.

c. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. and 2.b. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Waste Section Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

- 6. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- This Agreed Order may be executed in separate and multiple counterparts, which 7. together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier.

Fax: 512-239-0134 TOEO ENFORCEMENT

ALL-MRIJORI Mc Alister

ABDUN INC dba Texaco Four Mart DOCKET NO. 2012-2371-PST-E Page 6

SIGNATURE

TEXAS COMMISSION	ON ENVIRON	MENTAL QUALI	LÄ		
For the Commission			, i i	* · · · · · · · · · · · · · · · · · · ·	
Pan Day	rão On		641	13	
For the Executive Dire	ector		Date	i i	
I, the undersigned, hagree to the attached do agree to the terms accepting payment for I also understand the and/or failure to time	and conditions or the penalty am	specified therein. ount, is materiall mult with the C	I further ac y relying on s ordering Prov	knowledge the	nat the TCEQ, in ntation.
A negative in Greater scruti Referral of the additional per	my of any permit his case to the nalties, and/or a	nce history; applications sub Attorney Genera ttorney fees, or to ure enforcement orney General's	mitted; l's Office for a collection	1	
In addition, any rais	uicauon or any o	our passes			
Nael N	lasalm	4	Date	-26-	-13

Signature

Masalmh Nacl

Name (Printed or typed)
Authorized Representative of
ABDUN INC dba Texaco Food Mart

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section IV, Paragraph 1 of this Agreed Order.